REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of February 21, 2008 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. The Office is expressly authorized, however, to charge any deficiencies and credit any overpayments to Deposit Account No. 50-0951.

Claim Rejections – 35 USC § 103

Claims 1-8, 10-17, 19-26, and 28-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,420,975 to Blades, *et al.* (hereinafter Blades) in view of U.S. Patent 5,386,494 to White (hereinafter White) and U.S. Patent 5,884,249 to Namba (hereinafter Namba).

Although Applicants respectfully disagree with the rejections, Applicants have amended the claims so as to expedite prosecution of the present application by emphasizing certain aspects of the invention. However, such amendments should not be interpreted as the surrender of any subject matter, and Applicants expressly reserve the right to present the original version of any of the amended claims in any future divisional or continuation applications from the present application.

Applicants have amended independent Claims 1, 10, and 19 to further emphasize certain aspects of the invention. As discussed herein, the claim amendments are fully supported throughout the Specification. No new matter has been introduced by the claim amendments.

Aspects of Applicants' Invention

It may be helpful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, as typified by

amended Claim 1, is a method of aiding a visual search in a list of learnable speech commands.

The method can include presenting a display list of speech commands to a user; monitoring whether the user has uttered one of the commands; and measuring an evidentiary value related to the utterance of the uttered one of the commands, wherein the measuring comprises determining an initial time that a previous utterance uttered by the user ended, determining a succeeding time that the utterance of the uttered one of the commands started, and computing a time elapsed between the initial and succeeding times, the evidentiary value being the time elapsed between the end of a previous utterance and the start of the utterance of the uttered one of the commands. See, e.g., Specification, paragraphs [0027] and [0021].

The method also can include comparing the measured evidentiary value to a programmed value; if the measured evidentiary value is less than the programmed value, decreasing a salience of the command; and if the measured evidentiary value is equal to or greater than the programmed value, maintaining the salience of the command the same or increasing the salience of the command. See, e.g., Specification, paragraphs [0021] and [0022].

The Claims Define Over The Prior Art

White discloses a method and apparatus for controlling (turning on and off) a speech recognition function using a cursor control device. White has nothing to do with one of the important concepts of the present invention, namely making less commonly-used commands more salient and more commonly-used commands less salient.

Blades discloses a method and system for the automatic alteration of a display of multiple user selectable menu options. In Blades, a counter is associated with each user selectable menu option and the counter is incremented in response to each selection by a

user of the user selectable menu option. The display of the user selectable menu option is automatically altered in response to a state of the associated counter.

In contrast to Blades, in which the alteration of the display is based on the frequency of the user selectable menu option being selected, in the present invention the salience of the commands are changed based upon a length of time elapsed from the end of the utterance of the previous code word to the beginning of the utterance of the current word. By comparing the length of time to a programmed value, the salience of the current word may then be adjusted. The programmed value may be any value deemed to be a "normal" value, such as the measurement of expert users engaged in voice spelling. If the measured time is less than the programmed value, this provides evidence that a user has become more familiar with the command and may have learned or memorized the command.

As a result, the system operates to make this command less salient. Over time, as the evidence continues to show a measured time less than the programmed value, the command will become even less salient. Conversely, if the measured time is equal to or greater than the programmed value, then the evidence demonstrates that a user is not as familiar with the command and the salience of the command remains the same, or may be increased. Nevertheless, even for those commands that remain the same, since memorized commands are being made less salient, those commands that remain the same are still effectively becoming more salient and standing out as compared to the memorized commands. See Specification, paragraphs [0021] and [0022].

It was asserted on page 5 of the Office Action that Namba teaches using an evidentiary value comprising a time elapsed between utterances.

Namba discloses an input information managing method for managing plural pieces of input information accepted via plural input means. The method includes recognizing an input time of the input information; obtaining a recognition result by

dividing or merging the input information into a primitive analysis unit; estimating an input time of the recognition result using an estimating method predetermined for each of the inputting means; and collecting some of the recognition results whose estimated input times are close to one another, and then managing the collected information as a semantic analysis unit.

In contrast to Namba, in which the estimated input time is used for collecting the recognition results whose estimated input times are close to one another, in the present invention the measured length of time elapsed between utterances is used to determine if the salience of the display of the commands needs to be changed. It is noted that in Namba, the estimated input time is compared with other estimated input times. In the present invention, by contrast, the measured length of time elapsed between utterances is compared with a predetermined programmed value. Clearly, Namba does not disclose comparing the measured evidentiary value to a programmed value; if the measured evidentiary value is less than the programmed value, decreasing a salience of the command; and if the measured evidentiary value is equal to or greater than the programmed value, maintaining the salience of the command the same or increasing the salience of the command, as recited in independent Claims 1,10, and 19.

Accordingly, the cited references, alone or in combination, fail to disclose or suggest each and every element of Claims 1, 10, and 19, as amended. Applicants therefore respectfully submit that amended Claims 1, 10, and 19 define over the prior art. Furthermore, as each of the remaining claims depends from Claim 1, 10, or 19 while reciting additional features, Applicants further respectfully submit that the remaining claims likewise define over the prior art.

Applicants thus respectfully request that the claim rejections under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

AKERMAN SENTERFITT

Date: May 21, 2008

/Richard A. Hinson/
Gregory A. Nelson, Registration No. 30,577
Richard A. Hinson, Registration No. 47,652
Yonghong Chen, Registration No. 56,150
Customer No. 40987
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000